

Spring Brook Watershed Lake Management District Minutes 050409

Chairman Kincaid called the meeting of May 4, 2009 to order as posted and mailed out to District members April 14, 2009 and everyone said the Pledge of Allegiance.

Board Members Present: Doug Kincaid, Mike Samarzja, Greg McLain, Peter Topczewski and Karen McNelly.

Others present included district members Jim Pettey and Jim McNelly. Insurance representatives also present were Rita Knaack CPU, ARM, CIG Account Executive of Arthur J. Gallagher Risk Management Services of Brookfield, Rob Krohlow Account Executive of Horton Select Insurance, Waukesha and Steve Kitelinger Commercial Lines Producer of David Insurance Center in Kenosha.

Items for Discussion and Action by the Board:

Announcements: Otters have been seen on Willow Spring. They are beautiful and fun to watch.

Correspondence: Karen has received emails from Judy Wagner and John Lammers regarding new problems on Spring Lake with higher than normal water levels, wave runners (jet skis) and water skiing. There have been a few motorboats and pontoons on Spring Lake for years without many problems or incidence. Recently between both higher than normal water levels and new residents not understanding impacts of boat wakes there have been problems on Spring Lake. the damage that is caused by wave erosion is of concern to a majority of Spring Lake property owners as well as safety issues for swimmers. Last summer Spring Lake Property Owners Association took a survey of their membership regarding boat speed. A majority favored full time slow no wake and have requested that the Town change their ordinance to reflect their request. There will be a hearing regarding this request Wednesday, May 20th.

There was a discussion that included whether or not this causes any problems for Willow Spring. Our biggest concern is that we do not want to incur any additional sedimentation or decline in their water quality as the waters of Spring Lake and sediment do flow through the creek into Willow Spring Lake.

We did not have their draft ordinance to discuss and did not take any formal action.

The consensus was to have our Town Representative let the Town Board know that we appreciate anything they can do to protect both lakes' natural resources and users safety. **Note:** Only the Town can enact/enforce the type of ordinance Spring Lake is asking for, the DNR does not have this type of authority.

Secretary's Report: Karen M.

January 19, 2009 Meeting Minutes were emailed to the Board and orally reviewed at the meeting. Peter T. made a motion, seconded by Doug K. to approve the minutes as sent out. The motion was approved unanimously.

Treasurer's Report: Mike S.

Mike handed out the following Treasurer's Report including all activity in our accounts since 01/01/09 and mentioned that it may be impossible to obtain good CD rates for a while.

Treasurer's Report SBWLMD Meeting 05/04/09

Activity on accounts since
01/01/09

Date	Checking Account Activity	Balance
1/1/2009	Beginning Balance	3,742.63
1/30/2009	Interest added back	0.86
1/30/2009	Closing balance	3,743.49
2/1/2009	Beginning Balance	3,743.49
2/27/2009	Interest added back	0.50
	Debits	(1,208.69)
2/27/2009	Closing balance	2,535.30
3/1/2009	Beginning Balance	2,535.30
3/31/2009	Interest added back	1.01
	Deposits	3,277.84
3/31/2009	Closing balance	5,814.15
4/1/2009	Beginning Balance	5,814.15
4/30/2009	Interest added back	0.95
4/30/2009	Closing balance	5,815.10
5/4/2009	Debits	(8.40)
5/4/2009	Current balance	5,806.70

Detail of Payment/Debits and Deposit/Credits Available on monthly statements

Date	Certificate of Deposit Activity	
1/1/2009	Beginning balance	16,004.09
1/19/2009	Interest earned	48.12
1/31/2009	Ending Balance	16,052.21
2/1/2009	Beginning balance	16,052.21
2/19/2009	Interest earned	

		48.26
2/27/2009	Ending Balance	16,100.47
3/1/2009	Beginning balance	16,100.47
3/19/2009	Interest earned	43.72
3/31/2009	Ending Balance	16,144.19
4/1/2009	Beginning balance	16,144.19
4/17/2009	Interest earned	48.54
4/30/2009	Ending Balance	16192.73

Peter made a motion, seconded by Greg M. to approve the Treasurer's report as presented. The motion carried unanimously.

Insurance Information and Discussion:

Rita Knaak, Account Executive with Arthur Gallagher Risk Management spoke first and told the Board she was here for advice only and their company would not be making a bid.

She explained the 3 types of insurance (public officials, auto and worker's compensation liability) we currently have.

Her suggestions included:

- Retaining the public officials insurance
- Dropping or reducing the auto insurance and requiring all contracted groups to show proof of qualified insurance, and having any volunteers conducting any type of district business to also have written proof of qualified auto insurance.
- Asking the Town of Mukwonago if we could apply for insurance under their umbrella and have the district pay the full cost of the difference to the Town.

Rob Krohlow, Account Executive with the Horton Group handed out their group proposal "Spring Brook Water Shed Lake Wisconsin Prime Public Risk Insurance Made Easy" for effective dates 07/01/08 to 07/01/09.

- He was concerned about the Town providing coverage and did not think this would work well. He has 400 policies with public entities and does not think any elected municipal board would want the liability of another board's actions.
- He, again this year, strongly encouraged the additional worker's compensation, not only because it is statutorily required, but because without it the board would be inadvertently assuming additional liability potentially for any of our individual members to be sued.
- The audit that will be done of our previous years activities will result in a return/credit of a portion of our previous premium, which will result in a reduced annual premium.

Doug K. asked if/how our dam hazard rating could be reduced? Rob said that our current EAP had already resulted in more than a \$200.00 reduction in our insurance and commended the District for its EAP. Jim/Karen explained that our EAP although complete utilizing figures available without the District contracting for a full (expensive) engineering dam failure model. In

addition to the dam failure analysis the DNR would have to certify this information to reduce the hazard rating and premiums. A complete examination of all land use plans and their model would also be required. Rob K. suggested that the DNR should provide this type of analysis. Karen responded that the DNR does not have this type of hydrological engineering staff available anywhere in the State. The Board came to the consensus that additional engineering is cost prohibitive.

Steve Kitelinger, Commercial Lines Producer of the David Insurance Center, Kenosha told us that our existing policy after his brief review looked pretty good to him. He thought our workers compensation policy was quite appropriate and should give everyone in our district protection and peace of mind. He said he had nothing better to offer for the price.

Greg said he had learned a lot about Lake Management Insurance from the UW- Stevens Point and the Wisconsin Association of Lakes web sites.

Mike asked Peter T. if the Town could be approached. Peter T. thought that it would be very difficult to obtain Town Board approval, but he did plan to pass our policy on to the Town Chairman for their insurance companies review.

Watershed & Lake levels. Dam and beaver up-date: Doug K. commented that he and the Cairn's boys have been seeing some beaver activity on the Lake. He will let the Cairns boys know about the otters (they are protected by State Law) so that they do not mistakenly shoot them.

Greg had kayaked down to the bridge structure between Willow Spring and Spring Lake and attempted to remove some old beaver or muskrat type structures.

It was agreed that Jim, Greg, Doug, Mike and anyone else should continue to check for more beaver activity including in the east marsh behind Kincaid's property. Jim M. will show everyone the difference between the muskrat and beaver houses.

Ted Christianson who has been trapping on Spring Lake did trap one beaver a week or so ago and will continue to trap over there.

Next Meeting Date: The next meeting is scheduled for Monday, June 29th 7 PM at the Town Hall. Items for discussion will include the insurance bid for July 2009 through July 2010, the 2008 Annual Audit and preparation for the 2010 Annual Budget, Meeting Agenda date, time, place.

Adjournment: Peter T. made a motion to adjourn at 8:15 PM. The motion was unanimously approved.

Karen J. McNelly
Secretary

Date Approved: _____